

**BEFORE THE SUPREME COURT COMMITTEE ON PROFESSIONAL CONDUCT
PANEL B**

IN RE: STEVEN R. JACKSON
ARKANSAS BAR NO. 97142
CPC DOCKET No. 2006-146

FINDINGS AND ORDER

The formal charges of misconduct upon which this Findings and Order is based arose from information provided to the Committee by Edward K. Mullen of the Classified Accounts Management Company, Inc. (“CAMCO”) of Kimberling City, Missouri. The information related to the representation of CAMCO by Respondent in 2003.

CAMCO is a collection firm headed by Edward K. Mullen, President. CAMCO employed Steven R. Jackson, Attorney at Law, Fayetteville, Arkansas, in 2001 to collect from a list of debtors. CAMCO forwarded a list of accounts to Mr. Jackson. The list of accounts was three pages long and contained in excess of seventy-five accounts. Thereafter, CAMCO received a letter from Mr. Jackson along with a check in the amount of \$5,049.08. The letter did not provide CAMCO with an individualized accounting for the name of the case or the amount recovered so that CAMCO could apply the funds received to the proper account.

On July 23, 2003, CAMCO sent Mr. Jackson a letter demanding that he provide an accounting for every account placed with his firm; pay all monies due CAMCO; return all unpaid accounts; and send a letter to all debtor defendants advising that he no longer represented CAMCO and that all payments should be sent to CAMCO’s new counsel. Mr. Jackson failed to respond to CAMCO’s demands.

CAMCO thereafter sent another letter requesting that the demands be met by July 24, 2003.

Mr. Jackson sent a final accounting of accounts he had been collecting for CAMCO and a check in the amount of \$1,873.12. Again, no individualized accounting providing the names of the cases from which funds were collected.

In his response, Mr. Jackson stated that since he was discharged by CAMCO in 2003, he changed law firms and many of the files at issue were destroyed. Mr. Jackson also stated that he no longer was in possession of the computer on which information relating to his representation of CAMCO was stored. Mr. Jackson found one file and provided a copy of the file along with his response to the formal complaint. Mr. Jackson stated that CAMCO was provided with copies of all correspondence, pleadings, and checks received during his representation of them. According to Mr. Jackson, CAMCO was able to determine the amounts paid and from which defendant debtor the amounts came. It was Mr. Jackson's position that CAMCO did not object to the method of accounting until after he was discharged by CAMCO.

Upon consideration of the formal complaint and attached exhibit materials, the response to it, and other matters before it, and the Arkansas Model Rules of Professional Conduct, Panel B of the Arkansas Supreme Court Committee on Professional Conduct finds:

1. Steven R. Jackson violated Model Rule 1.3 when he failed to diligently and promptly respond to a request from his client, CAMCO, for an accounting on every case that he was handling on CAMCO's behalf. Rule 1.3 requires that a lawyer act with reasonable diligence and promptness in representing a client.

2. Steven R. Jackson violated Model Rule 1.4(a)(2) when he failed to comply to a request from his client, CAMCO, for individualized case accountings for the funds collected so that CAMCO could properly and timely post funds to its collection accounts. Rule 1.4(a)(2) requires that

a lawyer shall reasonably consult with the client about the means by which the client's objectives are to be accomplished.

3. Steven R. Jackson violated Model Rule 1.4(a)(3) when he failed to keep his client, CAMCO, informed about the status of its collection cases he was handling on behalf of CAMCO. Rule 1.4(a)(3) requires that a lawyer shall keep the client reasonably informed about the status of the matter.

4. Steven R. Jackson violated Model Rule 1.4(a)(4) when he failed to promptly comply with CAMCO's request for individualized case accountings on all cases he was handling on CAMCO's behalf. Rule 1.4(a)(4) requires that a lawyer shall promptly comply with reasonable requests for information.

5. Steven R. Jackson violated Model Rule 1.16(d) when, following his termination as attorney of record, Steven R. Jackson failed to provide his client, CAMCO, with an adequate case accounting for each lawsuit handled. Rule 1.16(d) requires that, upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled and refunding any advance payment of fee or expense that has not been earned or incurred. The lawyer may retain papers relating to the client to the extent permitted by other law.

WHEREFORE, it is the decision and order of the Arkansas Supreme Court Committee on Professional Conduct, acting through its authorized Panel B, that STEVEN R. JACKSON, Arkansas Bar ID# 97142, be, and hereby is, CAUTIONED for his conduct in this matter; fined the sum of One Thousand Dollars (\$1,000); and assessed costs in the amount of Fifty Dollars (\$50.00). The fine and

costs assessed herein shall be payable by cashier's check or money order payable to the "Clerk, Arkansas Supreme Court" delivered to the Office of Professional Conduct within thirty (30) days of the date this Findings and Order is filed of record with the Clerk of the Arkansas Supreme Court.

ARKANSAS SUPREME COURT COMMITTEE ON
PROFESSIONAL CONDUCT - PANEL B

By: _____
Henry Hodges, Chair, Panel B

Date: _____